

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

THOMAS WILLIAMS)	CASE NO. 1:10-cv-1577
)	
on behalf of himself)	JUDGE WELLS
and all others similarly situated,)	MAGISTRATE JUDGE VECCHIARELLI
)	
Plaintiff,)	<u>ORDER OF DISMISSAL AND</u>
)	<u>APPROVING SETTLEMENT</u>
vs.)	
)	
AMERICAN MIDWEST MORTGAGE)	
CORPORATION,)	
)	
Defendant.)	

THIS CAUSE having come before the court on the Parties' *Joint Motion for Approval of Settlement and Stipulation of Dismissal with Prejudice* as to Plaintiff's Complaint including the parties' *Joint Stipulation of Settlement and Release* ("Settlement"), and due cause appearing therefore, it is hereby:

ORDERED AND ADJUDGED as follows:

1. The parties have reached a settlement as a result of intensive, serious and non-collusive arms-length negotiations. The parties have conducted appropriate investigation and research, and counsel for the parties are able reasonably to evaluate their respective positions.
2. The parties entered into settlement in good faith. It is fair, reasonable and adequate, and the parties meet the standard for a settlement class under Rule 23(e) of the Federal Rules of Civil Procedure as well as 29 U.S.C. §216(b).
3. Neither the settlement nor any of the terms set forth in the Settlement is an admission by Defendant, nor is this Order a finding of the validity of any claims in this case or any other wrongdoing by Defendant. Neither this Order nor the Settlement may be used as an

admission by or against Defendant of any fault, wrongdoing or liability whatsoever. The entering into or carrying out of the Settlement, and any negotiations or proceedings related thereto, shall not in any event be construed as, or deemed to be evidence of, an admission or concession with regard to the denials or defenses by Defendant, and shall not be offered as evidence in any action or proceeding in any court, administrative agency or other tribunal for any purpose whatsoever other than to enforce the provisions of this Order, the Settlement, or any other papers and records on file in this case as evidence of the Settlement to support a defense of res judicata, collateral estoppel, release, or other theory or claim or issue preclusion or similar defense.

4. This Court hereby accepts and approves the proposed settlement and holds that the proposed settlement submitted by the parties is a fair and reasonable settlement of a bona fide dispute over the provisions of the Fair Labor Standards Act.

5. The above case is hereby DISMISSED WITH PREJUDICE; each party to bear their own attorneys' fees and costs except as otherwise provided by the Settlement. All pending deadlines are stricken as moot. This Court shall retain jurisdiction to enforce the parties'

Settlement and Full Waiver and Release.

ORDERED this 4th day of April, 2011.


MAGISTRATE JUDGE VECCHIARELLI